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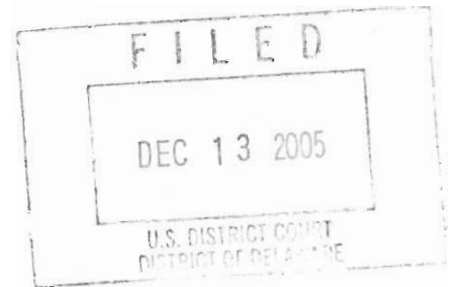
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

JOHN H. BENGE, JR.,
PETITIONER

v.

RICK KEARNEY, WARDEN
SUSSEX CORRECTIONAL
INSTITUTION; AND M.
JANE BRADY, ATTORNEY
GENERAL OF THE STATE
OF DELAWARE
RESPONDENTS

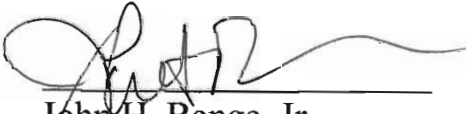
Civil Action No. 05-0550GMS



**FRCP RULE 25 (d)(1) MOTION FOR AN ORDER OF
SUBSTITUTION OF SUCCESSOR TO PUBLIC OFFICE**

COMES NOW, John H. Benge, petitioner above-named. *pro se* and pursuant to FRCP Rule 25(d)(1) and moves for an order of this Court substituting Carl Danberg, Esq., as successor in office to M. Jane Brady, Esq. and amending the caption in the above case accordingly, substituting Carl Danberg as a respondent therein. Petitioner waives the right to file any further brief with respect to this motion.

Date: December 7, 2005


John H. Benge, Jr.
Sussex Correctional Inst.
P.O.Box 500
Georgetown, DE 19947

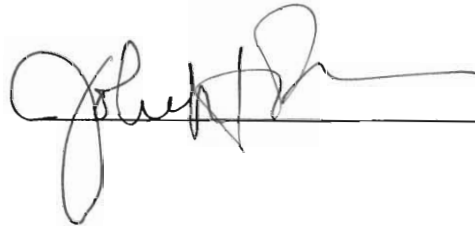
CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the attached motion was served on December 7, 2005 by depositing the same in the prisoner mail dropbox at Sussex Correctional Institution, Georgetown, Delaware, first class mail, postage prepaid, and addressed to:

Thomas E. Brown, Esq.
Deputy Attorney General
Department of Justice
820 North French Street
Wilmington, DE 19801

I hereby certify under penalty of the laws of the United States of America that the foregoing is true and correct.

Executed on December 7, 2005

A handwritten signature in black ink, appearing to read "John Brown", is written over a horizontal line.

I/M: J. BERGE BLDG. MER W
SUSSEX CORRECTIONAL INSTITUTION
P.O. BOX 500
GEORGETOWN, DELAWARE 19947

CLERK OF THE COURT
UNITED STATES DISTRICT COURT
UNITED STATES COURTHOUSE
844 NORTH KING STREET,
WILMINGTON, DE

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